

	EPR Compliance Assessment Report	Report ID: 34205/0254421			
This form will report compliance with your permit as determined by an NRW officer					
Site	The Waste Transfer Station		Permit Ref	34205	
Operator/ Permit holder	Nolan Recycling Ltd				
Date	11/12/2015	Time in	10:00	Out	11:30
What parts of the permit were assessed	Permitted Operations				
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op	X Water Discharge
Recipient's name/position	Emma Cull - Director				
Officer's name	Gareth M Davies, Hannah Loughlin / Alys Rook		Date issued	18/12/2015	

Section 1 - Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. A detailed explanation and any action you may need to take are given in the "Detailed Assessment of Compliance" (section 3). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS scores can be consolidated or suspended, where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

Permit Conditions and Compliance Summary			Condition(s) breached
a) Permitted activities	1. Specified by permit	A	
b) Infrastructure	1. Engineering for prevention & control of pollution	A	
	2. Closure & decommissioning	NA	
	3. Site drainage engineering (clean & foul)	A	
	4. Containment of stored materials	N	
	5. Plant and equipment	N	
c) General management	1. Staff competency/ training	A	
	2. Management system & operating procedures	C3	1.1.1
	3. Materials acceptance	N	
	4. Storage handling, labelling, segregation	N	
d) Incident management	1. Site security	A	
	2. Accident, emergency & incident planning	N	
e) Emissions	1. Air	NA	
	2. Land & Groundwater	C3	3.1.1
	3. Surface water	NA	
	4. Sewer	NA	
	5. Waste	NA	
f) Amenity	1. Odour	A	
	2. Noise	A	
	3. Dust/fibres/particulates	A	
	4. Pests, birds & scavengers	A	
	5. Deposits on road	A	
g) Monitoring and records, maintenance and reporting	1. Monitoring of emissions & environment	N	
	2. Records of activity, site diary, journal & events	N	
	3. Maintenance records	N	
	4. Reporting & notification	A	
h) Resource efficiency	1. Efficient use of raw materials	NA	
	2. Energy	NA	

KEY: C1, C2, C3, C4 = CCS breach category (* suspended scores are marked with an asterisk),
A = Assessed (no evidence of non-compliance), N = Not assessed, NA = Not Applicable, O = Ongoing non-compliance – not scored

Number of breaches recorded	2	Total compliance score (see section 5 for scoring scheme)	8
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If the Total No Breaches is greater than zero, then please see Section 3 for details of our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- the part(s) of the permit that were assessed (e.g. maintenance, training, combustion plant, etc)
- where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- any non-compliances identified
- any non-compliances with directly applicable legislation
- details of any multiple non-compliances
- information on the compliance score accrued inc. details of suspended or consolidated scores.
- details of advice given
- any other areas of concern
- all actions requested
- any examples of good practice.
- a reference to photos taken

This report should be clear, comprehensive, unambiguous and normally completed within 14 days of an assessment.

Present

Emma Cull (EC) and James Nolan (JN) - Nolan Recycling Limited (NRL)
Stuart Watcham (SW) - Consultant for Nolan Recycling Limited
Gareth Davies (GD) (Regulatory Officer), Hannah Loughlin (HL) and Alys Rook (AR) (Permitting Officers) - Natural Resources Wales (NRW)

The aim of the compliance visit was to assess compliance with environmental permit EPR/BP3599SZ and to discuss the permit variation application that was submitted to NRW. A number of points were discussed prior to the site tour.

Waste Returns

Following recent changes to the form and where waste returns had to be submitted, NRW did not have a record of returns for Quarter 1 (January to March) for 2015. EC confirmed that these would be checked and re-submitted where appropriate. Following the visit EC confirmed that these had been submitted, but have now been re-sent for completeness. These have been received by NRW's Waste Returns Team.

Some of the entries on the waste returns were reviewed and the following points were raised.

- The material sent to Pwllawatkin should be assigned as going to non-hazardous waste landfill rather than inert waste landfill. The material is being accepted as inert following the relevant testing, but the landfill is classified as a non-hazardous landfill.
- It was recommended that a review be undertaken to ensure that the correct EWC Code is allocated to the relevant waste types following each of the treatment processes carried out by NRL. In principal where a waste is just bulked up then it will keep the same EWC Code, but where it has been subjected to a treatment activity then the code will potentially change.
- Aggregates from the picking line are currently taken to Tom Pritchard Recycling Limited under a 19 Code. Following an initial review of their permit held by Tom Pritchard Recycling Ltd, they are not permitted to accept 19 Code as part of their permit.

Permit Variation

HL provided an update on the further information that would be requested as part of the permit variation application. This included a Fire Prevention Plan, an updated site specific risk assessment, an odour management plan and updated information on drainage. This will be formally requested via Schedule 5 Notice. It was highlighted as part of the variation application that NRW would be looking to include infrastructure and waste storage requirements within the permit. It is recommended that these should be reviewed as part of any draft permit consultation.

Technical Competence

EC's continued competence was checked and was valid until Summer 2016. JN continued competence wasn't up to date following issues about some potential units that were missing. WAMITAB will be able to provide further details on any extra units that are required. The operations carried out by NRL are a medium risk with regard to WAMITAB's Hierarchy Table.

It was also highlighted that the availability of landfills in the future will be reducing. It may be prudent for NRL to review the waste types that are currently sent to landfill and ensure that contingencies are in place going forward should landfill no longer be an available option for disposal.

Site Tour

In a number of areas throughout the site there was a small oil sheen evident on the hardstanding area. Although the volume of oil involved would have been very small, measures should be made to clean up any spillages as they are identified. There was an oil sheen adjacent to the fuel storage tank, this can be seen in the photograph below. Although not fully visible in the photograph below, it was evident on site.



There were no large stockpiles of waste on site. It is good practice to ensure that waste stockpiles are managed to ensure rotation of waste on site and reducing the risk of a fire taking place and spreading should one take place. JN confirmed that a fire detection system had been installed inside the building. This is a beneficial investment and should be incorporated into the fire prevention plan.

Photographs below show the current stockpile of certain waste types on site.





During the site tour the implications of any drainage and infrastructure requirements were discussed. Should a draft permit be issued then the infrastructure requirements should be reviewed to establish what changes on site or investments maybe needed.

At the entrance to the site a discharge was identified that was leaving the site. This was draining the area surrounding the weighbridge and adjacent to the buildings. It was evident that the discharge contained suspended solids. The drainage was soaking away potentially ending up in the quarry. Prior to the inspection it was also evident that there was contaminated run-off (muddy water) leaving the site boundary adjacent to the portakabins beyond the weighbridge on the right.



The surface water was leaving site at the point highlighted by the arrow. The discharge was surface water contaminated with suspended solids.

The oil spillages on the hard standing areas and the discharge from the site entrance are a breach of condition 3.1.1 in that these emissions are causing a Category 3 pollution to land.

This has been scored a CCS 3 under E3 Emissions – Land & Groundwater.

The identified breaches of condition 3.1.1 are also a breach of condition 1.1.1 in that the written management system hasn't fully identified and minimised the risk of pollution coming from the site. **This has been scored a CCS 3 under C2 General Management - Management system & operating procedures.**

As part of the revised written management system, consideration should be given to the requirements of How to Comply as referred to in Table S1.2 of environmental permit EPR/BP3599SZ.

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Section 3- Enforcement Response	Only one of the boxes below should be ticked
You must take immediate action to rectify any non-compliance and prevent repetition. Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.	
Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.	☐
In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.	☒
We will now consider what enforcement action is appropriate and notify you, referencing this form.	☐

Section 4- Action(s)			
Where non-compliance has been detected and an enforcement response has been selected above, this section summarises the steps you need to take to return to compliance and also provides timescales for this to be done.			
Criteria Ref.	CCS Category	Action Required/Advised	Due Date
See Section 1 above			
C2	C3	Measures should be put in place to ensure that relevant checks are carried out and where spillages are identified the appropriate measures are taken to remediate and recorded in the written management system. The drainage is being reviewed as part of the variation application.	01/02/2016
E2	C3	As above	01/02/2016

Section 5 - Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- advise on corrective actions verbally or in writing
- require you to take specific actions in writing
- issue a notice
- require you to review your procedures or management system
- change some of the conditions of your permit
- decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you.

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and or suspension or revocation of the permit.

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- ensure you comply with other legislative provisions which may apply.

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance which could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General Information

Data protection notice

The information on this form will be processed by the Natural Resources Wales (NRW) to fulfill its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW may also use and/or disclose it in connection with:

- offering/providing you with its literature/services relating to environmental matters
- consulting with the public, public bodies and other organisations (e.g. Health and Safety Executive, local authorities) on environmental issues
- carrying out statistical analysis, research and development on environmental issues
- providing public register information to enquirers
- investigating possible breaches of environmental law and taking any resulting action
- preventing breaches of environmental law
- assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Information Regulations request.

The NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within twenty working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with the officer's line managers. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00–18.00) and ask for the Customer Contact team or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.